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November 26, 2003

RECEIVED

BY HAND DELIVERY

NOV 26 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
c/o Visitronix, Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, D.C. 20002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

96-128

Re: Joint Petition for Waiver of Default Payphone Compensation Requirements
Under Sections 64.1301(a), (d) and (e)
Filed by South Carolina Local Exchange Carriers on Attached List

Please find enclosed for filing the original and 4 copies of Joint Petition filed on behalf of South Carolina local exchange carriers ("LECs") by their attorneys, Mr. John Bowen and Margaret M. Fox of the McNair Law Firm, PA and Mr. Kenneth E. Hardman, Attorney at Law. We are also presenting by hand delivery a "Stamp and Return" copy for stamping by the FCC's representative and return to our representative at time of hand delivery.

Sincerely,

Attorneys for Joint Petitioners

M. John Bowen, Jr.
Margaret M. Fox
McNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
Telephone: (803) 799-9800
Facsimile: (803) 376-2219

Kenneth E. Hardman
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Washington, DC 20036
Telephone: (202) 223-3772
Facsimile: (202) 833-2416

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List ABCDE

**Before the
Federal Communications Commission
Washington, D.C. 20554**

RECEIVED

NOV 26 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Implementation of the)	
Pay Telephone Reclassification and)	CC Docket No. 96-128
Compensation Provisions of the)	
Telecommunications Act of 1996)	

JOINT PETITION FOR WAIVER OF SECTIONS 64.1301(a), (d) AND (e)

Pursuant to Section 1.3 of the Federal Communications Commission's ("FCC" or "Commission") Rules¹, the local exchange companies listed in Exhibit 1 hereto (individually "Petitioner" and collectively, "Petitioners"), by counsel, respectfully request a waiver of Sections 64.1301(a), 64.1301(d) and 64.1301(e) of the Commission's Rules² to exclude Petitioners from the requirement to pay default compensation to payphone service providers. Petitioners are incumbent local exchange carriers ("ILECs"). Because the FCC included all ILECs on Appendices A, B and C of the Commission's *Fifth Reconsideration Order* in CC Docket No. 96-128,³ it appears that Petitioners have been inappropriately included in the group of carriers who are subject to the requirements under Section 64.1301 to pay default compensation to payphone providers for compensable calls. Because Petitioners do not carry compensable calls, Petitioners respectfully request that the Commission waive any application of Commission Rules 64.1301(a), 64.1301(d) and 64.1301(e) that would require Petitioners

¹ 47 C.F.R. § 1.3

² 47 C.F.R. §§ 64.1301(a), 64.1301(d) and 64.1301(e)

³ *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, *Fifth Order on Reconsideration and Order on Remand*, FCC 02-292 (Rel. Oct. 23, 2002) (*Fifth Reconsideration Order*)

to make default payments to payphone service providers. This request is being made without prejudice to any positions Petitioners may take in the future regarding applicability of the referenced rules to Petitioners.

Petitioners are small ILECs serving customers in rural South Carolina, and are listed on Exhibit 1 to this Petition. Exhibit 1 also contains the number of access lines served by each of the ILECs. Beginning in August of 2003, Petitioners individually received letters and invoices from APCC Services, Inc. (“APCC”).⁴ Each letter indicates that APCC is rendering an invoice to the Petitioner for payphone compensation owed to the payphone service providers (“PSPs”) pursuant to the Commission’s “True-Up Order” (*Fifth Reconsideration Order*)

1. **A key determination by the Commission regarding compensable calls is that an ILEC must carry a call in order to be responsible for payment.**

The *Fifth Reconsideration Order* was intended to bring a “measure of finality” regarding the contentious history of payphone compensation. The Commission’s action was undertaken to comply with the directive of Section 276(b)(1)(A) to ensure that payphone service providers (PSPs) receive fair compensation for every call made using their payphones. The Commission has concluded that Section 276 requires it to “ensure that per-call compensation is fair, which implies fairness to both sides.”⁵

In pursuit of this objective, a fundamental criterion to the Commission’s rules regarding payphone compensation was to ensure that local exchange carriers (“LECs”) “pay payphone compensation to the extent that they handle compensable payphone calls.”⁶ This is a threshold criterion that must be satisfied prior to placing a burden for

⁴ All APCC invoices received by Petitioners are dated August 29, 2003.

⁵ *Fifth Reconsideration Order* at ¶ 82.

⁶ *Id.* at ¶ 55 (Emphasis supplied).

PSP payment on any LEC. Absent satisfying this threshold criterion, a carrier would be responsible to pay for a compensable call that it did not handle. Clearly such result would not be a fair result for the LEC.

The Commission explained how a LEC can handle compensable communications in two ways:

- a. When a LEC terminates a compensable call that is both originated within its own service territory and not routed to another carrier for completion,
- b. When a LEC also provides interexchange service and carries the call as would any other IXC.

Petitioners do not carry compensable calls under either of these two scenarios and, therefore, are not liable to pay compensation to payphone service providers for these calls.

2. The Commission's default payphone compensation regime for ILECs is based exclusively on RBOC data that does not reflect Petitioner's lack of compensable calls.

Based on at least two data requests initiated by the Commission and directed solely to the RBOCs, the Commission determined that incumbent LECs complete payphone calls that are not routed to other carriers. The RBOC data apparently shows that 2.19 percent of all compensable payphone calls are handled by the RBOCs. The Commission also noted that no other incumbent LEC objected to this data. The Commission concluded that it is appropriate to allocate to "both RBOC and non-RBOC incumbent LECs a percentage of the calls (2.19%) originating from payphones within their own service territories." Petitioners did not have cause to object to this data because clearly the Commission was directing its efforts at determining the percentage

for “carriers” – those entities who carry compensable communications. As will be shown below, Petitioners do not carry any compensable calls. Thus the application of the allocation percentage in the case of the Petitioners is inappropriate.

3. Petitioners never carry compensable calls.

A compensable call is defined by the Commission as a call from a payphone user who calls a toll-free number, dials an access code, or uses a pre-paid calling card without placing any money into the payphone.⁷ Some of the Petitioners may, depending on individual circumstance, carry limited intraLATA toll messages directly dialed by the subscriber.⁸ In each case, the limited intraLATA toll message service of such Petitioners does not include any mechanisms for use of access codes or dial-around codes at payphones. Thus, none of the Petitioners carry any compensable calls. All compensable calls originating from payphones within the Petitioners’ respective service areas are passed on to other carriers who pay interstate or intrastate, as the case may be, originating access charges. Any compensable calls terminated by Petitioners within their respective service areas are received from other carriers who pay interstate or intrastate, as the case may be, terminating access charges. Thus, Petitioners do not carry individual compensable calls that both originate and terminate within Petitioners’ respective LEC service areas or that are carried by Petitioners as IXC that are subject to compensation under the criteria established in the *Fifth Reconsideration Order* for either a LEC or an IXC.⁹ Any compensable call terminating in the respective service area of one of the Petitioners would have to be an IXC-carried call. Requiring Petitioners to pay for compensable calls that they never handle is not a fair compensation mechanism.

⁷ *Fifth Reconsideration Order* at ¶ 3

⁸ ILECs that carry limited intraLATA toll message calls are identified on Exhibit 1

⁹ *Id.* at ¶ 55

4. The Fifth Reconsideration Order provides a mechanism for entities to be removed from the allocation percentage appendices.

Appendices A, B and C of the *Fifth Reconsideration Order* list “carrier” allocation percentages for default compensation factors for, respectively, interim access code and subscriber 800 calls (November 7, 1996 through October 6, 1997), intermediate access code and subscriber 800 calls (October 7, 1997 through April 20, 1999) and post-intermediate access code and subscriber 800 calls (April 21, 1999 forward). In the *Fifth Reconsideration Order*, the Commission noted that entities listed on Appendices A, B, or C could file a petition for a waiver with the Wireline Competition Bureau – such as the instant waiver request – for exclusion from the Commission’s allocation. Note 89 states:

... Any entity named in our allocation that then receives a request for per payphone compensation from a PSP or other entity may, within ninety (90) days of receiving such a request, file a waiver request with the Wireline Competition Bureau for exclusion from our allocation, with a demonstration that the entity provides no communications service to others.¹⁰

As has been demonstrated above, while Petitioners provide communications services, they never provide compensable communications service to others and are non-carriers as defined by the *Fifth Reconsideration Order*.¹¹ Accordingly, Petitioners hereby request, within 90 days of receipt of their only requests for compensation (those from APCC), that they be granted a waiver of any application of Commission Rules 64.1301(a), 64.1301(d) and 64.1301(e) that would require them to pay payphone compensation for calls they do not handle, and that Petitioners be deemed not to be included in the generic group of ILECs referenced in Appendices A, B and C of the *Fifth Reconsideration Order*.

¹⁰ *Fifth Reconsideration Order*, note 89.

¹¹ *Id.*, note 3.

5. Petitioners' petition for waiver meets the Commission's standards for granting a waiver of its rules.

Under section 1.3 of the Commission's Rules, any provision of the rules may be waived if "good cause" is shown. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest if applied to the petitioner and when the relief requested would not undermine the policy objective of the rule in question.¹² Payment of payphone compensation by Petitioners absent compensable calls that both originate and terminate within Petitioners' respective networks, whereby Petitioners do not collect any revenue for the call, apart from revenue under the applicable interstate or intrastate access charge regime, would be inconsistent with the public interest. Additionally, payment of compensation under such circumstances would actually undermine the Congressional intent of Section 276 and the policy that entities benefiting from the carrying of compensable payphone originating calls should pay compensation to payphone providers. Moreover, it would be burdensome and inequitable for Petitioners and, in turn, their customers to bear the cost of default payment compensation when Petitioners carry no compensable calls.¹³

CONCLUSION

For the foregoing reasons, Petitioners respectfully requests that the Commission waive any application of Commission Rules 64.1301(a), 64.1301(d) and 64.1301(e) that would require Petitioners to pay default compensation to payphone service providers, and thereby exclude Petitioners from the generic group of ILECs listed on Appendices A, B

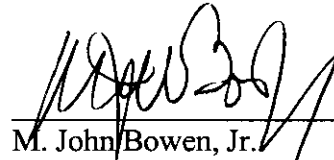
¹² Wait Radio v. FCC, 418 F 2d 1153 (D.C Cir. 1969), cert denied, 409 U.S 1027 (1972) ("Wait Radio"), Northeast Cellular Telephone Co v FCC, 897 F 2d 1164, 1166 (D.C Cir 1990)

¹³ See Wait Radio, 418 F 2d at 1159 The petitioner must demonstrate, in view of unique or unusual factual circumstances, application of the rule(s) would be inequitable, unduly burdensome, or contrary to the public interest

and C of the *Fifth Reconsideration Order* that are required to pay default compensation to payphone service providers. The requested waiver will serve the public interest by allowing Petitioners to avoid payment of charges for which no related benefit accrues to Petitioners given that Petitioners do not carry payphone originated compensable calls.

Respectfully submitted,

By:


M. John Bowen, Jr.
Margaret M. Fox
McNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
Telephone: (803) 799-9800
Facsimile: (803) 376-2219

Kenneth E. Hardman
Attorney at Law
1015 – 18th Street, N.W., Suite 800
Washington, DC 20036
Telephone: (202) 223-3772
Facsimile: (202) 833-2416

Attorneys for Petitioners

November 24, 2003

EXHIBIT 1


Petitioning Companies	Access Lines
Bluffton Telephone Company, Inc.*	19,314
Chesnee Telephone Company, Inc.	5,544
Chester Telephone Company*	18,106
Farmers Telephone Cooperative, Inc.*	58,532
Fort Mill Telephone Company, d/b/a Comporium Communications*	21,321
Hargray Telephone Company, Inc.*	54,898
Home Telephone Company, Inc.*	23,142
Horry Telephone Cooperative, Inc.*	97,881
Lancaster Telephone Company, d/b/a Comporium Communications*	26,701
Lockhart Telephone Company, Inc.*	688
McClellanville Telephone Company	1,956
Norway Telephone Company	888
St. Stephen Telephone Company	5,559
Palmetto Rural Telephone Cooperative, Inc.	14,928
PBT Telecom, Inc.	17,465
Piedmont Rural Telephone Cooperative, Inc.	14,535
Ridgeway Telephone Company, Inc.*	2,285
Rock Hill Telephone Company, d/b/a Comporium Communications*	53,973
Sandhill Telephone Cooperative, Inc., Inc.	17,043
West Carolina Rural Telephone Cooperative, Inc.	12,375
Williston Telephone Company	5,520

*Companies that provide limited intraLATA toll services.

DECLARATION OF GERALD A. COLEMAN

I, Gerald A. Coleman, General Manager of Bluffton Telephone Co., Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.


Gerald A. Coleman
Bluffton Telephone Co., Inc.

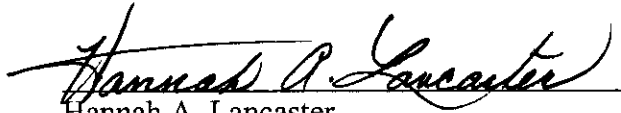
Date: November 24, 2003

Company Name: Bluffton Telephone Co., Inc.
Company Address: Post Office Box 346
Bluffton, SC 29910

DECLARATION OF Hannah A. Lancaster

I, Hannah A. Lancaster, President and General Manager of Chesnee Telephone Company ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion


Hannah A. Lancaster
Chesnee Telephone Company

Date: November 24, 2003

Company Name: Chesnee Telephone Company

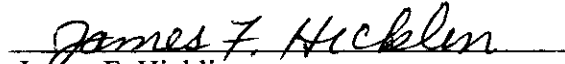
Company Address: P O Box 430, 208 S. Alabama Ave

Chesnee, S. C. 29323

DECLARATION OF JAMES F. HICKLIN

I, James F. Hicklin, Vice President and General Manager of Chester Telephone Company ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.


James F. Hicklin
Chester Telephone Company

Date: November 24, 2003

Company Name: Chester Telephone Company

Company Address: 112 York Street, P.O. Box 160

Chester, SC 29706

DECLARATION OF JOHN L. McDANIEL

I, John L. McDaniel, Chief Operating Officer of Farmers Telephone Cooperative, Inc., ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.

A handwritten signature in black ink, reading "J. L. McDaniel", written over a horizontal line.

John L. McDaniel

Farmers Telephone Cooperative, Inc.

Date: November 24, 2003

Company Name: Farmers Telephone Cooperative, Inc.

Company Address: 1101 E. Main Street

Kingstree, SC 29556

DECLARATION OF Matt Dosch

I, Matthew L. Dosch, Vice President of External Affairs of Fort Mill Telephone Company d/b/a Comporium Communications ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.


Matthew L. Dosch
Fort Mill Telephone Company d/b/a
Comporium Communications

Date: November 24, 2003

Company Name: Fort Mill Telephone Company d/b/a Comporium Communications


Company Address: P.O. 470

Rock Hill, SC 29731-6470

DECLARATION OF GERALD A. COLEMAN

I, Gerald A. Coleman, General Manager of Hargray Telephone Co., Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.


Gerald A. Coleman
Hargray Telephone Co., Inc.

Date: November 24, 2003

Company Name: Hargray Telephone Co., Inc.

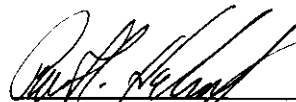
Company Address: Post Office Box 5519

Hilton Head Island, SC 29938

DECLARATION OF ROBERT L. HELMLY

I, Robert L. Helmly, President & CEO of Home Telephone Company, Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



Robert L. Helmly
Home Telephone Company, Inc.

Date: November 24, 2003

Company Name: Home Telephone Company, Inc.

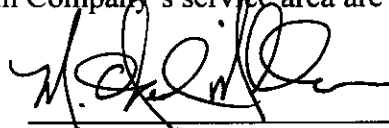
Company Address: PO Box 1194

Moncks Corner, SC 29461

DECLARATION OF M. O'NEAL MILLER

I, M. O'Neal Miller, Chief Executive Financial Operations, of Horry Telephone Cooperative, Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



M. O'Neal Miller

Horry Telephone Cooperative, Inc.

Date: November 24, 2003

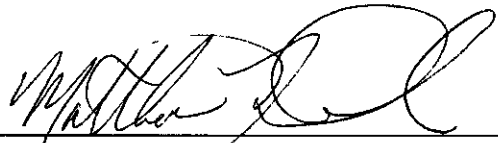
Company Name: Horry Telephone Cooperative, Inc.

Company Address: 3480 Hwy 701 N.
P. O. Box 1820
Conway, SC 29528

DECLARATION OF Matt Dosch

I, Matthew L. Dosch, Vice President of External Affairs of Lancaster Telephone Company d/b/a Comporium Communications ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



Matthew L. Dosch
Lancaster Telephone Company d/b/a
Comporium Communications

Date: November 24, 2003

Company Name: Lancaster Telephone Company d/b/a Comporium Communications

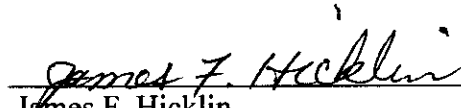
Company Address: P.O. 470

Rock Hill, SC 29731-6470

DECLARATION OF JAMES F. HICKLIN

I, James F. Hicklin, Secretary of Lockhart Telephone Company ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.


James F. Hicklin
Lockhart Telephone Company

Date: November 24, 2003

Company Name: Lockhart Telephone Company

Company Address: 112 York Street, P.O. Box 160
Chester, SC 29706

DECLARATION OF MICHAEL A. PANDOW

I, Michael A. Pandow, President for McClellanville Telephone Company, Inc. (the "Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.

Michael A. Pandow
Michael A. Pandow
McClellanville Telephone Company, Inc.

Date: November 24, 2003

Company Name: McClellanville Telephone Company, Inc.
D/b/a TDS Telecom
Company Address: 1130 Hwy 45
P.O. Box 888
McClellanville, SC 29458-9723

DECLARATION OF MICHAEL A. PANDOW

I, Michael A. Pandow, President for Norway Telephone Company, Inc. (the "Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.

Michael A. Pandow

Michael A. Pandow

Norway Telephone Company, Inc.

Date: November 24, 2003

Company Name: Norway Telephone Company, Inc.
D/b/a TDS Telecom
Company Address: 4671 Savannah Hwy
P.O. Box 760
Norway, SC 29112-0160

DECLARATION OF MICHAEL A. PANDOW

I, Michael A. Pandow, President for St. Stephen Telephone Company (the "Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.

Michael A. Pandow

Michael A. Pandow

St. Stephen Telephone Company

Date: November 24, 2003

Company Name: St. Stephen Telephone Company
D/b/a TDS Telecom
Company Address: 3897 Byrnes Drive
P.O. Box 128
St. Stephen, SC 29479-0128

DECLARATION OF JOHN SHELTON

I, John Shelton Controller of Palmetto Rural Telephone Cooperative, Inc ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



John Shelton
Palmetto Rural Telephone Cooperative, Inc

Date: November 24, 2003


Company Name: Palmetto Rural Telephone Cooperative, Inc

Company Address: P.O. Drawer 1577
Walterboro, SC 29488

DECLARATION OF L.B. SPEARMAN

I, L B Spearman, Chief Regulatory Officer of PBT Telecom, Inc ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion


L. B. Spearman
PBT Telecom, Inc.

Date: November 24, 2003

Company Name PBT Telecom, Inc

Company Address 1660 Juniper Springs Road
Gilbert, South Carolina 29054

DECLARATION OF James P. Wilder

I, James P. Wilder, Chief Executive Officer of Piedmont Rural Telephone Cooperative Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.

A handwritten signature in black ink, appearing to read "James P. Wilder", is written over a horizontal line.

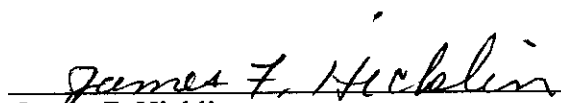
James P. Wilder
Chief Executive Officer
Piedmont Rural Telephone Cooperative Inc.
201 Anderson Drive Laurens, SC 29360

Date: November 24, 2003

DECLARATION OF JAMES F. HICKLIN

I, James F. Hicklin, Vice President of Operations for Ridgeway Telephone Company ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.


James F. Hicklin
Ridgeway Telephone Company

Date: November 24, 2003

Company Name: Ridgeway Telephone Company

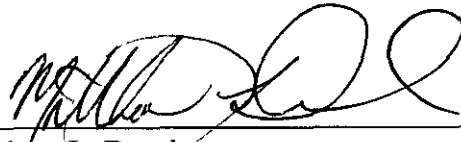
Company Address: 112 York Street, P.O. Box 160

Chester, SC 29706

DECLARATION OF Matt Dosch

I, Matthew L. Dosch, Vice President of External Affairs of Rock Hill Telephone Company d/b/a Comporium Communications ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



Matthew L. Dosch
Rock Hill Telephone Company d/b/a
Comporium Communications

Date: November 24, 2003

Company Name: Rock Hill Telephone Company d/b/a Comporium Communications

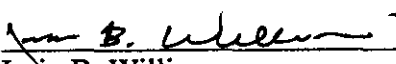
Company Address: P.O. 470

Rock Hill, SC 29731-6470

DECLARATION OF IRVIN B. WILLIAMS

I, Irvin B. Williams, General Manager of Sandhill Telephone Cooperative, Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion



Irvin B. Williams
Sandhill Telephone Cooperative, Inc.

Date November 24, 2003

Company Name. Sandhill Telephone Cooperative, Inc.

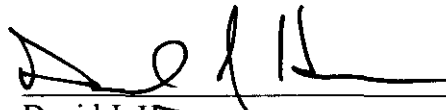
Company Address. P.O. Box 519

Jefferson, S C. 29718

DECLARATION OF DAVID J. HERRON

I, David J. Herron, General Manager of West Carolina Rural Telephone Cooperative, Inc. ("Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



David J. Herron
West Carolina Rural Telephone
Cooperative, Inc.

Date: November 24, 2003

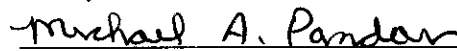
Company Name: West Carolina Rural Telephone Cooperative, Inc.

Company Address: P.O. Box 610
229 Hwy 28 By Pass
Abbeville, SC 29620

DECLARATION OF MICHAEL A. PANDOW

I, Michael A. Pandow, President for Williston Telephone Company (the "Company") do hereby declare under penalties of perjury that the information contained in the foregoing "Petition for Waiver" is true and accurate to the best of my knowledge, information and belief, and that I am authorized by Company to provide this Declaration.

Company does not handle compensable payphone calls, because all non-coin 0+ and toll-free calls from payphone stations in Company's service area are turned over to other carriers for completion.



Michael A. Pandow

Williston Telephone Company

Date: November 24, 2003

Company Name: Williston Telephone Company
D/b/a TDS Telecom
Company Address: 15 West Street
P.O. Box 100
Williston, SC 29853-0100

CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2003, a copy of the foregoing Petition for Waiver of Sections 64.1301(a), (d) and (e) of the Commissions Rules (filed by hand delivery to the Commission c/o c/o Visitronix, Inc. on November 26, 2003) was delivered by first-class, U.S. mail, postage pre-paid to the following party:

Attorneys for the American Public Communications Council ("APCC")
Albert H. Kramer
Robert F. Aldrich
Dickstein, Shapiro Morin & Oshinsky, LLP
2101 L Street N.W.
Washington, D.C. 20037-1526

Scott Duncan
November 26, 2003